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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,302	06/23/2000	Allen B. Childress	5053-35700	1770

7590 10/07/2004  
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Austin, TX 78767-0398

EXAMINER

BLECK, CAROLYN M

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/603,302

Applicant(s)

CHILDRRESS, ALLEN B.

Examiner

Carolyn M Bleck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28,43-68,81-99 and 111-113 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28,43-68,81-99 and 111-113 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/1/04, 7/6/04
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the amendment filed 1 July 2004. Claims 1-28, 43-68, 81-99, and 111-113 are pending. Claims 1, 2, 13, 14, 24, 43, 44, 54, 55, 64, 81, 82, 88, 89, and 95 have been amended. Claims 29-42, 69-80, and 100-110 have been cancelled.

### ***Specification***

2. The amendment filed 1 July 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The newly added recitations including "automatically retrieving... in response to initiating the first step," "automatically locating... in response to initiating the first step," "automatically reading... in response to initiating the first step," "automatically locating... in response to initiating the first step," "automatically reading... in response to initiating the first step," "automatically displaying... in response to initiating the first step," and "automatically displaying... in response to initiating the first step" within claims 1, 2, 13, 14, 24, 43, 44, 54, 55, 64, 81, 82, 88, 89, and 95 appears to constitute new matter. In particular, Applicant points to the specification, page 5, lines 1-13, as support for the newly added limitations. This section recites the following: "The insurance claims

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processing system may enter a processing step and display a page for the processing step. In one embodiment, the context-sensitive help for the step may be automatically invoked when entering the step.” This citation does not include each of the aforementioned steps being automatically performed. As such, Applicant is respectfully requested to clarify the above issues and to specifically point out support for the newly added limitations in the originally filed specification and claims.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

Claims 1-28, 43-68, 81-99, and 111-113 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention and for the reasons set forth in the objection to the specification above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**NOTE:** The following rejections assume that the subject matter added in 1 July 2004 amendment are NOT new matter, and are provided hereinbelow for Applicant's

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consideration, on the condition that Applicant properly traverses the new matter objections and rejections made in preceding sections above in the next communication sent in response to the present Office Action.

4. Claims 1-113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan et al. (5,655,085) in view of Brooks et al. (4,992,972) and Borghesi et al. (5,950,169), for substantially the same reasons given in the previous Office Action (paper number 16), and further in view of Eisen et al. (4,964,077).

(A) As per the amendments to claims 1, 2, 13, 14, 24, 43, 44, 54, 55, 64, 81, 82, 88, 89, and 95, Ryan, Brooks, and Borghesi fail to expressly disclose the newly added features. However, Eisen discloses a context sensitive help system where the help information can be provided automatically as a new user uses the application (col. 8 lines 14-20, col. 9 line 39 to col. 10 line 51). The Examiner respectfully submits that the remaining features for claims 1, 2, 13, 14, 24, 43, 44, 54, 55, 64, 81, 82, 88, 89, and 95 were disclosed in the previous Office Action (paper number 16), and are incorporated herein.

(B) Claims 3-12, 15-23, 25-42, 45-53, 56-63, 65-80, 83-87, 90-94, and 96-113 have not been amended, and are rejected for the same reasons given in the previous Office Action, and incorporated herein (paper number 16).

### ***Response to Arguments***

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5. Applicant's arguments with respect to claims 1, 2, 13, 14, 24, 43, 44, 54, 55, 64, 81, 82, 88, 89, and 95 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments filed 1 July 2004 have been fully considered but they are not persuasive. Applicant's arguments will be addressed below in the order in which they appear in the response filed 1 July 2004.

(A) At pages 49-50 of the response filed 1 July 2004, Applicant requests that the Examiner provide support for her assertion by providing a reference.

The Examiner respectfully submits that Giansante (5,471,575) discloses in Figures 7-13, the help information being displayed on the same page as the application.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches method for providing an on line help facility for interactive information handling systems (4,648,062) and help display system for a computer (5,388,251).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (703) 305-

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3981. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (703) 305-9588.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 306-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**1. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9306 or (703) 872-9326 [Official communications]

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(703) 872-9327 [After Final communications labeled "Box AF"]


(703) 746-8374 [Informal/ Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7th Floor (Receptionist).

CB

CB

September 29, 2004

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600